IN THE SUPREME COURT OF THE STATE OF NEVADA

VICTORIA GIAMPA,

Appellant,

vs.

CHARLES GIAMPA,
Respondent.

Filed: January 25, 2008

Tracie K. Lindeman
Clerk of Supreme Court

No. 50428

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order denying motions regarding custody matters, motions to strike, and motions to produce documents, and deferring judgment on motions regarding financial matters, in a case arising from a divorce. Eighth Judicial District Court, Family Court Division, Clark County; Sandra Pomrenze, Judge.

Our review of the documents transmitted to this court pursuant to NRAP 3(e) reveals jurisdictional defects. This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.[1] No statute or court rule authorizes an appeal from an order addressing motions to strike motions for sanctions, or motions regarding discovery.[2] In addition, while an order granting

[1] Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

[2] See NRAP 3A9b) (listing orders and judgments from which an appeal may be taken). To the extent that the challenged order resolves motions regarding custody of the children and could thus be viewed as a special order after final judgment and

or denying an NRCP 60(b) motion is generally appealable,[3] it appears that the district court has deferred ruling on all financial issues, which includes appellant's NRCP 60(b) motion. Once the district court enters a written order resolving the NRCP 60(b) motion, appellant, if aggrieved, may file an appeal from that order.[4] Accordingly, as we lack jurisdiction over this appeal[5], we

ORDER this appeal DISMISSED.

_____, J
Maupin

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Cherry,

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Saitta

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therefore appealable under Burton v. Burton, 99 Nev. 698, 669 P.2d 703 (1983), the denial of these motions would necessarily be summarily affirmed based on the district court's finding that the children are adults.

[3] See NRAP 3A(b)(2); Holiday Inn v. Barnett, 103 Nev. 60, 63, 732 P.2d 1376 (1987).

[4] It is unclear from the documents before this court what order appellant sought to challenge in her NRCP 60(b) motion. NRCP 60(b) only allows a party to seek relief from a final judgment, order, or proceeding. See Barry v. Lindner, 119 Nev. 661, 669, 81 P.3d 537, 542-43 (2003). If the motion was not directed at a final judgment, order, or proceeding, an NRCP 60(b) motion would not be proper and thus, while this court would have jurisdiction to consider an appeal from an order denying appellant's motion, a denial of that motion would necessarily be summarily affirmed on appeal.

[5] Appellant filed an amended notice of appeal on December 20, 2007, stating that she was appealing from oral orders entered by the district court. Appellant has not indicated what the oral orders she seeks to appeal from purport to rule on. As oral orders are not appealable, the amended notice of appeal does not cure the jurisdictional defects of this appeal. See Rust v. Clark Cty. School District, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987).